

REMARKS

Claims 1, 2 and 9-25 are pending and rejected in this application. Claims 1, 2, 9 and 19 are amended hereby.

Responsive to the rejection of claims 1, 2, 9-13, 19, 20, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,911,198 (Curen, et al.) in view of U.S. Patent No. 2,394,144 (Brose), Applicant has amended claims 1, 9 and 19, and submits that claims 1, 2, 9-13, 19, 20, 24 and 25 are now in condition for allowance.

Curen, et al. disclose an animal stimulator (Fig. 1) including a stimulator 12 and a plurality of photovoltaic members 16 that produce energy that powers stimulator 12 in response to exposure to electromagnetic radiation. Stimulator 12 also includes a pair of probes 18 that administer an electrical signal. Simulator 12 may also administer an audio signal, a spray directed at the animal or other mechanical stimulates, such as one or more probes that contact the skin of the animal or a mechanical stimulus that tightens collar 14 (column 2, line 40, through column 3, line 5).

Brose discloses a force collar including a plurality of mountings M, each having an elongated base 5 formed with an eye 6 adjacent its opposite ends. An outer chamber end is formed with a bore 15 through which is extended a shank 16 formed with an enlarged shoulder 17 terminating at a point 18. Shoulder 17 is engaged with the outer end of a boss formed in mounting M. Spring 22 extends between the head and the outer end of the boss. The tensioning of a flexible cord 23, which is extended through all of eyes 6, produces a radial force causing shank 16 to advance inwardly (column 1 line 46-column 2 line 19).

In contrast claim 1, as amended, recites in part:

A pressure pulse generator... including a probe having an impactor movably disposed therein and a tip, said impactor adapted to mechanically impact said tip to

contact and generate a mechanical compression wave that induces a pressure pulse against the skin of the animal.

(Emphasis added) Applicant submits that such an invention is neither taught, disclosed nor suggested by Curen et al, Brose, or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Curen et al. disclose an animal stimulator including a pair of probes that administer an electrical signal. A stimulator may also administer an audio signal, spray directed to the animal or other mechanical stimulants such as one or more probes that contact the skin or mechanical stimulants that tightens the collar. Brose discloses a force collar including plurality of mountings M. Flexible cord 23 produces a radial force causing shanks 16 to advance inwardly against the neck of a dog. Applicant's invention includes an impactor that mechanically impacts against a tip to generate a mechanical compression wave. It is the mass of the impactor that once accelerated impacts a portion of the tip to contact the skin of the animal. The Examiner indicates that Curen et al. is silent about a probe having an impactor movably disposed therein. Further, Brose does not teach an impactor that impacts a tip causing it to contact the skin of the animal. Therefore, Curen et al., Brose and any of the other cited references, alone or in combination, fail to disclose, teach or suggest a pressure pulse generator including a probe having an impactor movably disposed therein and a tip, the impactor adapted to mechanically impact the tip to contact and generate a mechanical compression wave that induces a pressure pulse against the skin of the animal, as recited in claim 1.

An advantage of Applicant's invention is that energy is imparted to move the impactor, which subsequently converts its kinetic energy into a sudden movement of a tip, thereby gaining the attention of the animal. Another advantage of Applicant's invention is that a controller selects the amount of pressure used to move the impactor and thereby determine the amplitude of the

pressure pulse. For the forgoing reasons, Applicant submits that claim 1 and claim 2 depending therefrom are now in condition for allowance, which is hereby respectfully requested.

In further contrast, claim 9, as amended, recites:

said pressure pulse generating means receiving kinetic energy from said impactor to thereby generate said mechanical compression wave.

(Emphasis added) Applicant submits that such an invention is neither taught, disclosed nor suggested by Curen et al, Brose, or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Curen et al. disclose an animal stimulator including a pair of probes that administer an electrical signal. A stimulator may also administer an audio signal, spray directed to the animal or other mechanical stimulants such as one or more probes that contact the skin or mechanical stimulants that tightens the collar. Brose discloses a force collar including plurality of mountings M. Flexible cord 23 produces a radial force causing shanks 16 to advance inwardly against the neck of a dog. Applicant's invention includes an impactor that imparts kinetic energy against a portion of the probe to generate a mechanical compression wave. It is the mass of the impactor that once accelerated impacts a portion of the probe to contact the skin of the animal. The Examiner indicates that Curen et al. is silent about a probe having an impactor movably disposed therein. Further, Brose does not teach an impactor that transfers its kinetic energy to a pressure pulse generating device. Therefore, Curen et al., Brose and any of the other cited references, alone or in combination, fail to disclose, teach or suggest a pressure pulse generating means receiving kinetic energy from the impactor to thereby generate a mechanical compression wave, as recited in claim 9.

An advantage of Applicant's invention is that energy is imparted to move the impactor, which subsequently transfers its kinetic energy thereby causing a sudden movement, which gains

the attention of the animal. Another advantage of Applicant's invention is that a controller selects the amount of pressure used to move the impactor and thereby determine the amplitude of the pressure pulse. For the forgoing reasons, Applicant submits that claim 9 and claims 10-13 depending therefrom are now in condition for allowance, which is hereby respectfully requested.

In still further contrast, claim 19, as amended, recites in part:

moving said impactor by a flow of gas within said probe, thereby imparting kinetic energy to said impactor.

(Emphasis added) Applicant submits that such an invention is neither taught, disclosed nor suggested by Curen et al, Brose, or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Curen et al. disclose an animal stimulator including a pair of probes that administer an electrical signal. A stimulator may also administer an audio signal, spray directed to the animal or other mechanical stimulants such as one or more probes that contact the skin or mechanical stimulants that tightens the collar. Brose discloses a force collar including plurality of mountings M. Flexible cord 23 produces a radial force causing shanks 16 to advance inwardly against the neck of a dog. Applicant's invention includes an impactor that imparts kinetic energy against a portion of the probe to generate a mechanical compression wave. It is the mass of the impactor that once accelerated impacts a portion of the probe to contact the skin of the animal. The Examiner indicates that Curen et al. is silent about a probe having an impactor movably disposed therein. Further, Brose does not teach an impactor that gains kinetic energy from a flow of gas. Therefore, Curen et al., Brose and any of the other cited references, alone or in combination, fail to disclose, teach or suggest the step of moving the impactor by a flow of gas within the probe, thereby imparting kinetic energy to the impactor, as recited in claim 19.

An advantage of Applicant's invention is that energy is imparted to move the impactor, which subsequently transfers its kinetic energy thereby causing a sudden movement, which gains the attention of the animal. Another advantage of Applicant's invention is that a controller selects the amount of pressure used to move the impactor and thereby determine the amplitude of the pressure pulse. For the forgoing reasons, Applicant submits that claim 19 and claims 20, 24 and 25 depending therefrom are now in condition for allowance, which is hereby respectfully requested.

Claims 14-17 and 21-23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Curen et al., as modified by Brose and in further view of U.S. Patent No. 5,815,077 (Christiansen). However, claims 14-17 depend from claim 9, and claims 21-23 depend from claim 19, and claims 9 and 19 have been placed in condition for allowance for the reasons given above. Accordingly, Applicant submits that claims 14-17 and 21-23 are now in condition for allowance, which is hereby respectfully requested.

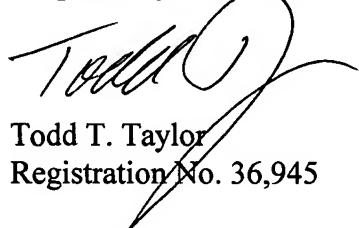
Claim 18 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Curen et al., as modified by Brose and Christiansen and in further view of U.S. Patent No. 5,559,498 (Westrick, et al.). However, claim 18 depends from claim 9, and claim 9 has been placed in condition for allowance for the reasons given above. Accordingly, Applicant submits that claim 18 is now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: December 3, 2003.

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